

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lawrence Ashery on 12/17/2009.

2. The Application has been amended as follows:

Claims 2 and 3 have been cancelled.

Claim 1 has been amended to now read:

1. A compressor comprising:

a compression element for compressing refrigerant gas;

a hermetic container for accommodating the compression element; and

a suction pipe linking inside and outside the hermetic container,

wherein the compression element comprises:

a cylinder;

a piston which reciprocates inside the cylinder;

a compression chamber formed in the cylinder; and

a suction muffler whose one end leads to the compression chamber, the suction muffler comprising :

a main body forming a muffling space;

an intake port opened to the hermetic container and leading to the muffling space; and

a gas catcher surrounding the intake port and having an opening facing an orifice of the suction pipe,

wherein the opening of the gas catcher has an upper end located above a lower end of the orifice of the suction pipe and a lower end located below the lower end of the orifice of the suction pipe, the lower end of the opening of the gas catcher defined by a lower surface of the gas catcher, and

the intake port has an opening facing the lower surface of the gas catcher. catcher.

wherein an angle between a horizontal line and a shortest line connecting the lower end of the opening of the gas catcher and the lower end of the orifice of the suction pipe is not less than 30°, and

wherein the intake port of the suction muffler is opened downward, and an inner face of the gas catcher is concavely curved.

REASONS FOR ALLOWANCE

3. Claims 1 and 4 are allowed
4. The following is an examiner's statement of reasons for allowance: the prior art does not teach or disclose a gas catcher surrounding the intake port and having an opening facing an orifice of the suction pipe, wherein the opening of the gas catcher has

Art Unit: 3746

an upper end located above a lower end of the orifice of the suction pipe and a lower end located below the lower end of the orifice of the suction pipe, the lower end of the opening of the gas catcher defined by a lower surface of the gas catcher, and the intake port has an opening facing the lower surface of the gas catcher, wherein an angle between a horizontal line and a shortest line connecting the lower end of the opening of the gas catcher and the lower end of the orifice of the suction pipe is not less than 30° , and wherein the intake port of the suction muffler is opened downward, and an inner face of the gas catcher is concavely curved.

5. It is noted by the examiner, and stated here for the record of prosecution, that the aspect of the instant invention determined to be novel and patentably distinct from the prior art is the angle between a horizontal line and a shortest line connecting the lower end of the opening of the gas catcher and the lower end of the orifice of the suction pipe being not less than 30° , along with the intake port of the suction muffler being opened downward, and an inner face of the gas catcher being concavely curved. These limitations in combination with the intake port having an opening facing the lower surface of the gas catcher make the claim read over the prior art.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 3746

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PETER J. BERTHEAUD whose telephone number is (571)272-3476. The examiner can normally be reached on M-F 9am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on (571) 272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Devon C Kramer/
Supervisory Patent Examiner, Art
Unit 3746

PJB
/Peter J Bertheaud/
Examiner, Art Unit 3746